

803 KAR 2:301. Adoption and extension of established federal standards.

RELATES TO: KRS 338.051, 338.061, 29 C.F.R. 1910

STATUTORY AUTHORITY: KRS 338.051(3), 338.061, 29 C.F.R. 1910

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) authorizes the Kentucky Occupational Safety and Health Standards Board to adopt and promulgate occupational safety and health administrative regulations. KRS 338.061(2) provides that the board may incorporate by reference established federal standards and national consensus standards. The following administrative regulation contains those standards to be enforced by the Division of Occupational Safety and Health Compliance in the area of general industry.

Section 1. Definitions. (1) "Act" means KRS Chapter 338.

(2) "Assistant Secretary of Labor" means the Secretary of Labor, Commonwealth of Kentucky.

(3) "Standard" means the same as regulation or federal rule which requires conditions or the adoption or use of one (1) or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe and healthful employment.

(4) "U.S. Department of Labor" means Kentucky Labor Cabinet, Department of Workplace Standards, U.S. 127 South, Frankfort, Kentucky 40601, or the U.S. Department of Labor.

Section 2. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) 29 C.F.R. 1910.11-1910.19 of the Code of Federal Regulations revised as of July 1, 1998, published by the Office of the Federal Register, National Archives and Records Services, General Services Administration are incorporated by reference.

(b) The revision to 29 C.F.R. 1910.16, "Longshoring and marine terminals", as published in the Federal Register, Volume 63, Number 230, December 1, 1998.

(2) This material may be inspected, obtained, and copied at: Kentucky Labor Cabinet, Division of Occupational Safety and Health Education and Training, U.S. 127 South, Frankfort, Kentucky 40601. Office hours are 8 a.m. - 4:30 p.m. (ET), Monday through Friday. (16 Ky.R. 683; eff. 12-15-89; Am. 19 Ky.R. 1887; eff. 4-7-93; 20 Ky.R. 2685; eff. 5-11-94; 21 Ky.R. 2250; eff. 4-20-95; 23 Ky.R. 1689; eff. 12-13-96; 3925; eff. 7-17-97; 24 Ky.R. 1148; eff. 1-12-98; 2152; eff. 7-13-98; 26 Ky.R. 645; 1004; eff. 11-15-99; TAm eff. 8-9-2007; TAm eff. 9-8-2011.)